

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NO. <b>900145.403USPC</b>
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/520,882</b>
INTERNATIONAL APPLICATION NO. <b>PCT/AU2003/000903</b>	INTERNATIONAL FILING DATE <b>11 July 2003 (11.07.2003)</b>	PRIORITY DATE CLAIMED <b>11 July 2002 (11.07.2002)</b>
TITLE OF INVENTION <b>TRANSGENIC PLANTS USED AS A BIOREACTOR SYSTEM</b>		
APPLICANT(S) FOR DO/EO/US <b>BRUMBLEY, Stevens Michael; PURNELL, Matthew Peter; CHONG, Barrie Fong; PETRASOVITS, Lars Arved; NIELSEN, Lars Keld; MCQUALTER, Richard Bruce</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto.</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ol></li><li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<ol style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li><li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter (2).</li><li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</li><li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li><li>20. <input checked="" type="checkbox"/> Other items or information: Statement Under 37 CFR 3.73(b) (2); Copy of Notification</li></ol>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/520,882</b>		INTERNATIONAL APPLICATION NO. <b>PCT/AU2003/000903</b>		ATTORNEY'S DOCKET NUMBER <b>900145.403USPC</b>	
The following fees are submitted					
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... \$300.00				\$	.00
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$ 0.00 All other situations ..... \$200.00				\$	.00
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by the IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400.00 All other situations ..... \$500.00				\$	.00
<b>TOTAL OF 21, 22 AND 23 =</b>				\$	.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		X \$250.00	\$	.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	.00
Claims	Number Filed	Number Extra	Rate		
Total Claims	12 - 20 =		x \$ 50.00	\$	.00
Independent Claims	2 - 3 =		x \$ 200.00	\$	.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	.00
<b>SUBTOTAL =</b>				\$	.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	.00
<b>TOTAL NATIONAL FEE =</b>				\$	.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	.00
<b>TOTAL FEES ENCLOSED =</b>				\$	.00
				<b>Amount to be refunded:</b>	
				<b>Amount to be Charged:</b>	

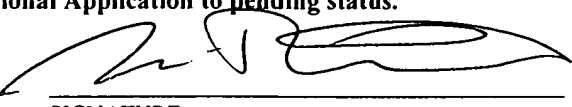
U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/520,882</b>	INTERNATIONAL APPLICATION NO. <b>PCT/AU2003/000903</b>	ATTORNEY'S DOCKET NUMBER <b>900145.403USPC</b>
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a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.  
 b. ☐ Please charge my Deposit Account No. **19-1090** in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.  
 c. ☒ The Commissioner is hereby authorized to charge any deficiency in the basic national fee which may be required, or credit any overpayment to Deposit Account No. **19-1090**. A duplicate copy of this sheet is enclosed.  
 d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

**William T. Christiansen, Ph.D.**  
 Seed Intellectual Property Law Group PLLC  
 701 5<sup>th</sup> Avenue, Suite 6300  
 Seattle, WA 98104-7092  
 United States of America  
 (206) 622-4900

  
 \_\_\_\_\_  
 SIGNATURE  
  
 \_\_\_\_\_  
 William T. Christiansen, Ph.D.  
 NAME  
  
 \_\_\_\_\_  
 44,614  
 REGISTRATION NUMBER

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(07/05)



UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL NO. EV718247220US  
Rec'd PCT/PTO 16 NOV 2005UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/520,882	FIRST NAMED APPLICANT Stevens Michael Brumbley	ATTY. DOCKET NO. 900145.403USPC
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500  
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVE  
SUITE 6300  
SEATTLE, WA 98104-7092

INTERNATIONAL APPLICATION NO. PCT/AU03/00903	
I.A. FILING DATE 07/11/2003	PRIORITY DATE 07/11/2002

CONFIRMATION NO. 7056

371 FORMALITIES LETTER



\*OC000000017035162\*

Date Mailed: 09/19/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/11/2005
- Copy of the International Search Report filed on 01/11/2005
- Copy of IPE Report filed on 01/11/2005
- U.S. Basic National Fees filed on 01/11/2005
- Priority Documents filed on 01/11/2005

RECEIVED

SEP 22 2005

Seed Intellectual Property  
Law Group PLLC

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$360 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$360 for a Large Entity:

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after

September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- Total additional claim fee(s) for this application is \$ 360

- \$360 for multiple dependent claim surcharge.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,882	PCT/AU03/00903	900145.403USPC

FORM PCT/DO/EO/905 (371 Formalities Notice)